

SUMMARY REPORT DIGEST-
LOG INVESTIGATION NO.:
INDEPENDENT POLICE REVIEW AUTHORITY

1015529

DATE OF REPORT (DAY-MO.-YEAR)
12 September 2008

To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION.

SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED.
SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO:

ATTENTION [x] ADMINISTRATOR IN CHARGE, INDEPENDENT POLICE REVIEW AUTHORITY
[] ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

FROM - INVESTIGATOR'S NAME Benedict ANAELE			RANK INV	STAR NO. 115	SOCIAL SEC. NO. XXX-XX-XXXX	EMPLOYEE NO. [REDACTED]	UNIT ASSIGN. 113	
ADDRESS OF INCIDENT [REDACTED]			DATE OF INCIDENT - TIME 6 April 2008 0915			BEAT OF INCIDENT 713	LOCATION CODE* 090	
ACCUSED	NAME 1. Eric Cato		RANK Sgt.	STAR NO. 1321	SOCIAL SEC.NO. [REDACTED]	EMPLOYEE NO. [REDACTED]	UNIT ASSIGN. 006/189	
	2							
	SEX/RACE 1. M/B	D.O.B. 17 Mar 66	DATE OF APPOINTMENT 16 Dec 91	DUTY STATUS (TIME OF INCIDENT) [x] ON DUTY [] OFF DUTY			[x] SWORN [] CIVILIAN	PHYS. COND. CODE 01
2			[] ON DUTY	[] OFF DUTY		[] SWORN [] CIVILIAN		
COMPLAINANTS	IF APPLICABLE - DATE ARRESTED/INDICATED 1.			CHARGES		COURT BRANCH	DISPOSITION & DATE	
	2							
VICTIMS	NAME [REDACTED]		ADDRESS** [REDACTED]	CITY STATE [REDACTED]	TELEPHONE [REDACTED]	SEX/RACE M/B	D.O.B./AGE [REDACTED]	PHYS. COND. CODE 01
WITNESSES	NAME [REDACTED]		ADDRESS** [REDACTED]	CITY STATE [REDACTED]	TELEPHONE [REDACTED]	SEX/RACE F/B	D.O.B./AGE Unk.	PHYS. COND. CODE 01

[] SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

ALLEGATIONS

The Complainant, [REDACTED] telephoned the Independent Police Review Authority on 6 April 2008, at 1030 hours, and registered this complaint with Investigator Benedict Anaele. [REDACTED] alleges that on 6 April 2008, at approximately 0915 hours, while at [REDACTED] S. Racine Avenue, where he resides, the Accused, Sgt. Eric Cato, star # 1321, 1) Referred to him as a "Drama Queen" and a "faggot" and 2) threatened him by stating, "I will beat your ass."

I.A.D. LOCATION CODES*

- 01 Food Sales/Restaurant
- 02 Tavern/Liquor Store
- 03 Other Business Establishment
- 04 Police Building
- 05 Lockup Facility
- 06 Police Maintenance Facility
- 07 CPD Automotive Pound Facility
- 08 Other Police Property
- 09 Police Communications System
- 10 Court Room

- 11 Public Transportation Veh./Facility
- 12 Park District Property
- 13 Airport
- 14 Public Property - Other
- 15 Other Private Premise
- 16 Expressway/Interstate System
- 17 Public Way - Other
- 18 Waterway, Inc. Park District
- 19 Private Residence

I.A.D. PHYSICAL CONDITION CODES

- 01 No Visible Injury - Apparently Normal
- 02 No Visible Injury - Under Influence
- 03 Injured, Not Hospitalized
- 04 Injured, Not Hospitalized - Under Influence
- 05 Injured, Hospitalized
- 06 Injured, Hospitalized - Under Influence
- 07 Injured, Refused Medical Aid
- 08 Injured, Refused Medical Aid - Under Influence
- 09 Deceased
- 10 Deceased - Under Influence

** IF CPD MEMBER, LIST RANK, STAR, SOCIAL SECURITY, EMPLOYEE NOS. IN ADDRESS BOX, PAX/BELL IN TELEPHONE BOX.

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegations(s).

In sustained cases ONLY, copies of the accused member=s Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

INVESTIGATION:

This investigation involves allegations of misconduct by an officer without an arrest.

The following investigative steps were taken:

The allegations are listed in the "Allegations" section of the summary report digest.

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Obtained an in-person interview of the complainant, [REDACTED] stated that he is a tenant in a building owned and operated by Sgt. Eric Cato. [REDACTED] stated that on 6 April 2008, at approximately 0930 hours, Sgt. Cato visited the building at [REDACTED] S.Racine Avenue to collect his rent money. [REDACTED] gave Sgt. Cato the money in cash and complained of his sink leaking. Sgt. Cato got angry and began speaking loudly and stated words to the effect of, "What is damaged now?" Sgt. Cato told [REDACTED] that he would be held accountable for any damage in the building and went on to refer to [REDACTED] as a "Drama Queen" and a "Faggot." [REDACTED] stated that Sgt. Cato told him that he had to move and went on to threaten [REDACTED] by pointing his finger in [REDACTED] face and stated words to the effect of, "I will beat your ass, you don't know who you are messing with." When [REDACTED] tried to close his door, Sgt. Cato pushed it open and repeated the above threat. [REDACTED] stated that his sister, [REDACTED] was a witness to the incident. (Attachment #8)

Several attempts were made to obtain an interview from [REDACTED] but she failed to provide an interview. (Attachments #11, #16 and #19)

The Accused, Sgt. Eric Cato #1321, Unit 006/189, provided a brief To/From Subject Report after receiving his allegations. Sgt. Cato stated that on 6 April 2008, at 0930 hours, he was not on duty but at home preparing for work. Sgt. Cato stated that he had no contact with [REDACTED] and did not commit the allegations lodged against him by [REDACTED]. Sgt. Cato stated that [REDACTED] was being evicted from a rental unit that Sgt. Cato owns and he believes that [REDACTED] filed a false complaint in retaliation. (Attachment #18)

CONCLUSION:

It is recommended that this case be closed and the findings be classified as Not Sustained. Without additional corroborating evidence, coupled with lack of cooperation from the witness, the R/I was unable to prove or disprove the allegations.

ATTACHMENT	INVESTIGATIVE REPORTS-SUPPORTING ALLEGATION LIST ATTACHMENT NUMBERS:	INVESTIGATIVE REPORTS-SUPPORTING ACCUSED MEMBER(S) LIST ATTACHMENT NUMBERS:	PHYSICAL EVIDENCE LIST ATTACHMENT NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
	6	18	00	19

FINDINGS-RECOMMENDATIONS
Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation. Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for days (not to exceed 5 days).

FINDINGS:

Accused Sgt. Eric Cato # 1321, Unit 006/189:

Allegations #1 and #2----Not Sustained

[REDACTED]
IPRA Supervisor

Prepared by Inv. Grace L. Wilson # 110

DATE INITIATED (DATE COMPLAINT WAS RECEIVED FOR INVESTIGATION)	DATE COMPLETED (DATE OF THIS REPORT)	ELAPSED TIME (TOTAL TIME, EXPRESSED IN DAYS)
6 April 08	12 Sept 08	161

Investigator will initiate the Command Channel Review
for by completing the Investigator=s Section.

INVESTIGATOR=S SIGNATURE

[REDACTED] #115

**Reporting Category**

No Reporting Category entered.

Log No: 1015529 Type:CR

Accused Members

Review Name	Status	Accused Overall Finding	Recommended Penalty	No. of Days	Date/Time Served	Created Date	Complimentary History
View CATO, ERIC	CLOSED/FINAL NOT SUSTAINED	-	-	-	-	06-APR-2008	N/A

row(s) 1 - 1 of 1

Attachments

No.	Type	Related Person	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Content?	Approve Inclusion?
View 1	FACE SHEET	N/A	-	-	-	ANAELE, BENEDICT	APR-06-2008 10:30	-	-	-
View 2	CONFLICT CERTIFICATION	N/A	-	-	-	CONNOLLY, KEVIN	APR-07-2008 11:54	-	-	-
View 3	CONFLICT CERTIFICATION	N/A	-	-	-	ANAELE, BENEDICT	APR-07-2008 14:39	-	-	-
View 4	ADDITIONAL INFORMATION	N/A	1	Accused Info.	NO	ANAELE, BENEDICT	JUL-17-2008 16:25	APPROVED	-	YES
View 5	ATTEMPT TO CONTACT	N/A	2	Certified & Regular mail sent to complainant.	NO	ANAELE, BENEDICT	JUL-17-2008 16:25	APPROVED	-	YES
View 6	PHOTO IDENTIFICATION	N/A	1	Complainant, [REDACTED]	NO	ANAELE, BENEDICT	JUL-17-2008 16:27	APPROVED	-	YES
View 7	SWORN AFFIDAVIT FROM COMPLAINANT	N/A	1	-	NO	ANAELE, BENEDICT	JUL-17-2008 16:27	APPROVED	-	YES
View 8	INTERVIEW-REPORTING PARTY	N/A	2	-	NO	ANAELE, BENEDICT	JUL-17-2008 16:28	APPROVED	-	YES
View 9	U.S.P.S. (USPS) TRACKING REPORT	N/A	1	Mail receipt, complainant.	NO	ANAELE, BENEDICT	JUL-17-2008 16:29	APPROVED	-	YES
View 10	U.S.P.S. (USPS) TRACKING REPORT	N/A	1	Unclaimed mail complainant.	NO	ANAELE, BENEDICT	JUL-17-2008 16:30	APPROVED	-	YES
View 11	ATTEMPT TO CONTACT	N/A	2	Witness, [REDACTED]	NO	ANAELE, BENEDICT	JUL-17-2008 16:31	APPROVED	-	YES
View 12	REPORT (OTHER)	N/A	1	IAD Half Sheet accused, PO Erica CATO.	NO	ANAELE, BENEDICT	JUL-17-2008 16:32	APPROVED	-	YES
View 13	REQUEST FOR INTERVIEW/STATEMENT/REPORT	N/A	2	PO Eric CATO.	NO	ANAELE, BENEDICT	JUL-17-2008 16:33	APPROVED	-	YES
View 14	NOTIF OF CHARGES/ALLEGATIONS - ADM PROC RIGHTS (STATUTORY)	N/A	1	Sgt. Eric Cato #1321, Unit 189.	YES	ANAELE, BENEDICT	SEP-04-2008 16:56	APPROVED	-	YES

View Incident

View	15	WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL	N/A	1	Sgt. Eric Cato #1321, Unit 189.	YES	ANAELE, BENEDICT	SEP-04-2008 16:58	APPROVED -	YES
View	16	U.S.P.S. (USPS) TRACKING REPORT	N/A	1	-	YES	ANAELE, BENEDICT	SEP-04-2008 16:59	APPROVED -	YES
View	17	REQUEST FOR INTERVIEW/STATEMENT/REPORT	N/A	1	Sgt. Eric Cato #1321, Unit 189.	YES	ANAELE, BENEDICT	SEP-04-2008 17:00	APPROVED -	YES
View	18	ACCUSED REPORT	N/A	1	Sgt. Eric Cato #1321, Unit 189.	YES	ANAELE, BENEDICT	SEP-04-2008 17:01	APPROVED -	YES
View	19	INVESTIGATOR CASE LOG	N/A	1	-	YES	ANAELE, BENEDICT	SEP-04-2008 17:03	APPROVED -	YES
View	20	SUMMARY REPORT	N/A	2	-	YES	ANAELE, BENEDICT	SEP-23-2008 12:44	APPROVED -	YES

row(s) 1 - 20 of 20

Internal Use Only

No Internal Use Only attachments available.

Print Accused Appeal Forms

No Accused Appeal forms available for this Log No.

Related Incidents**TIP** Related Incidents listed below are for reference only. These may be viewed using the related application search screens.

No Related Incidents associated with this Log No.

Status History**TIP** Every employee included in the Status History is subject to be called for legal or administrative proceedings.

Resulting Status	Status Date/Time	Created By	Position	Employee No.	Assigned/Detailed Unit	Comments
CLOSED/FINAL	01-OCT-2008 16:43	DEBONNETT, ALICE	POLICE OFFICER	[REDACTED]	009 / 543	-
CLOSED AT C.O.P.A.	01-OCT-2008 16:43	DEBONNETT, ALICE	POLICE OFFICER	[REDACTED]	009 / 543	-
PENDING IMPLEMENT ACTION	26-SEP-2008 15:04	JOHNSON, EVERETT	DEP CHIEF	[REDACTED]	188 / -	-
PENDING COMMAND CHANNEL REVIEW	25-SEP-2008 11:00	ROTI, NICHOLAS	COMMANDER	[REDACTED]	189 / 601	-
PENDING COMMAND CHANNEL REVIEW	24-SEP-2008 11:26	DEBONNETT, ALICE	POLICE OFFICER	[REDACTED]	009 / 543	-
CLOSED AT C.O.P.A.	24-SEP-2008 11:23	DEBONNETT, ALICE	POLICE OFFICER	[REDACTED]	009 / 543	-
PENDING REVIEW INCIDENT (I.A.D./DISTRICT USE)	24-SEP-2008 08:45	QUERFURTH, PATRICK	SUPERVISING INV COPA	[REDACTED]	113 / -	-
PENDING INVESTIGATIVE REVIEW	23-SEP-2008 12:44	ANAELE, BENEDICT	INVESTIGATOR 3 COPA	[REDACTED]	113 / -	-
PENDING INVESTIGATION	07-APR-2008 11:54	CONNOLLY, KEVIN	INVESTIGATOR 3 COPA	[REDACTED]	113 / -	-
PENDING ASSIGN INVESTIGATOR	07-APR-2008 11:22	DUFFY, MICHAEL	COOR /INVESTIGATIONS	[REDACTED]	113 / -	-
PENDING ASSIGN TEAM	06-APR-2008 11:08	LERNER, ELIZABETH	SUPERVISING INV COPA	[REDACTED]	113 / -	-
PENDING SUPERVISOR REVIEW	06-APR-2008 11:07	LERNER, ELIZABETH	SUPERVISING INV COPA	[REDACTED]	113 / -	-
PRELIMINARY	06-APR-2008 11:06	LERNER, ELIZABETH	SUPERVISING INV COPA	[REDACTED]	113 / -	Correct narrative
PENDING SUPERVISOR REVIEW	06-APR-2008 10:31	ANAELE, BENEDICT	INVESTIGATOR 3 COPA	[REDACTED]	113 / -	-
PRELIMINARY	06-APR-2008 10:30	ANAELE, BENEDICT	INVESTIGATOR 3 COPA	[REDACTED]	113 / -	-

row(s) 1 - 15 of 15

Command Channel Reviewers

Accused Name	Sequence No.	Reviewer
CATO, ERIC	1	ROTI, NICHOLAS
CATO, ERIC	2	JOHNSON, EVERETT
row(s) 1 - 2 of 2		

User: IL01656ALI
Module: 15280 \$Revision: 1.252 \$

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